



US Army Corps  
of Engineers®

# Public Notice

Public Notice No. 03-58

Date: December 1, 2003

Nashville District

Application No. 200201395

Please address all comments to:  
Nashville District Corps of Engineers, Regulatory Branch  
3701 Bell Road, Nashville, TN 37214

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JOINT PUBLIC NOTICE  
US ARMY CORPS OF ENGINEERS  
TENNESSEE VALLEY AUTHORITY  
AND  
STATE OF TENNESSEE

SUBJECT: Proposed Fill and Encapsulation of an Unnamed Tributary to Little Tennessee River Mile 17.8, Left Bank (Tellico Lake), Monroe County, Tennessee

TO ALL CONCERNED: The application described below has been submitted for a Department of the Army Permit pursuant to **Section 404 of the Clean Water Act (33 U.S.C. 1344)**.

Before a permit can be issued, certification must be provided by the State of Tennessee, Division of Water Pollution Control, pursuant to Section 401(a)(1) of the CWA, that applicable water quality standards will not be violated. By copy of this notice, the applicant hereby applies for the required certification.

APPLICANT: Lowe's Company, Inc.  
Highway 268 East, East Dock  
North Wilkesboro, North Carolina 28659

LOCATION: Unnamed Tributary to Little Tennessee River  
Monroe County, Tennessee  
lat: 35-36-11 lon: 84-13-57  
USGS – Vonore, Tennessee

DESCRIPTION: The proposed work consists of the relocation of approximately 715' of an unnamed tributary to the Little Tennessee River. The applicant proposes to construct 270' of open stream channel to the north along the property line and then east along the property line and install approximately 445' of culvert in 5 sections ranging from 48 to 60" in diameter. The stream flows straight through the property suggesting that it was channelized in the past. The stream to be relocated is approximately 1-2' in width, and it is captured in an existing 36" culvert as it leaves this parcel of property. The purpose of the project is for the expansion of an existing Lowe's Flatbed Distribution Center.

The applicant proposes to mitigate for the loss of the stream functions and values by providing payment to the Tennessee Wildlife Resources in-lieu-fee program for the loss of 445' of stream (715' of existing stream filled minus 270' of relocated open channel). The applicant would stabilize the 270' of created open channel (3:1 slope) with natural

ground cover, trees, and shrubs (Plant list – sheet 2). Mitigation would be monitored for a period of three years.

Plans of the proposed work are attached to this notice.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b)(1) of the CWA (40 CFR Part 230). A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

An Environmental Assessment will be prepared by this office prior to a final decision concerning issuance or denial of the requested Department of the Army Permit.

The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known which would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the State Historic Preservation Officer.

Based on available information, the proposed work will not destroy or endanger any Federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act. Therefore, we have reached a no effect determination and initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

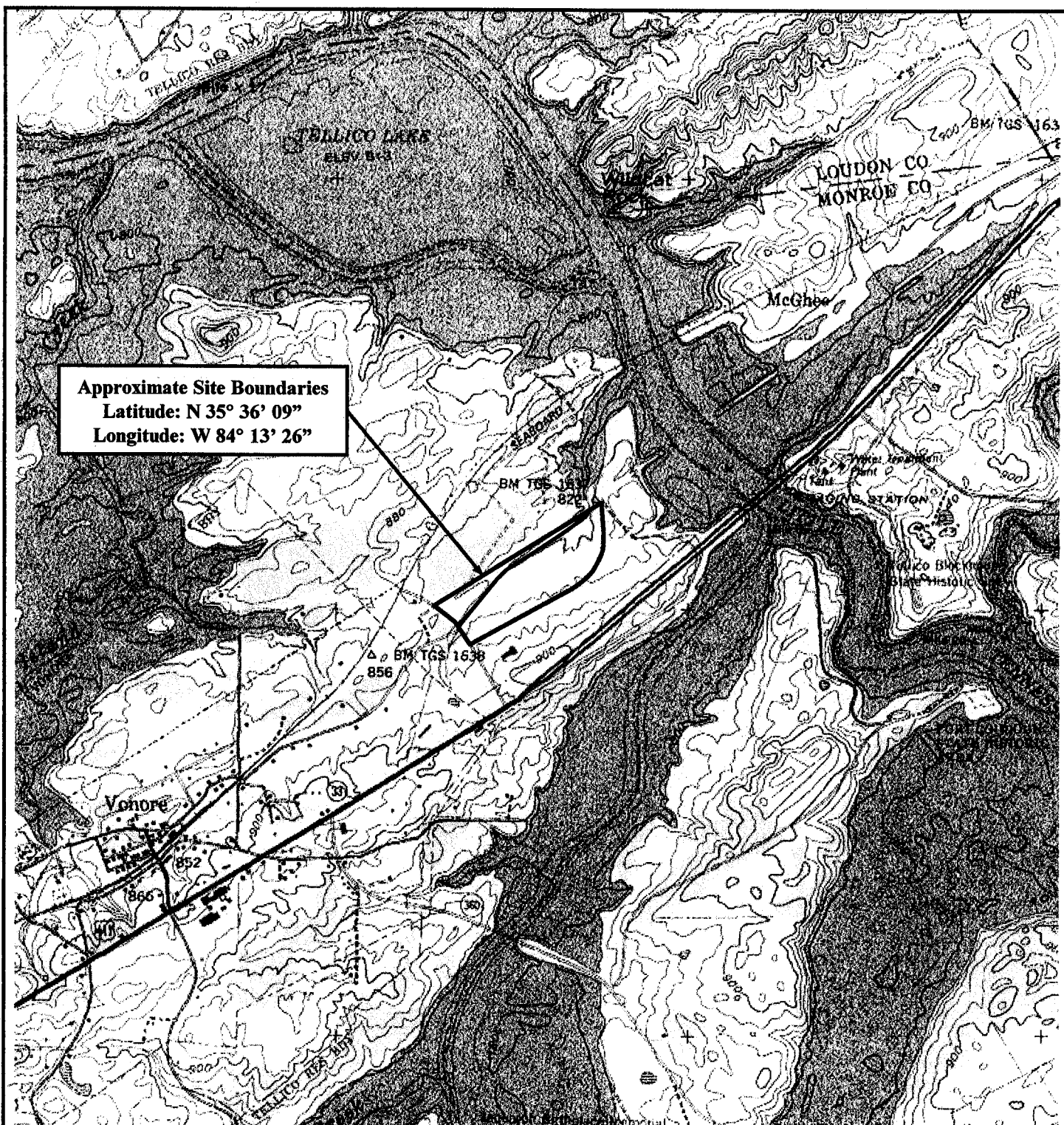
Other federal, state, and/or local approvals required for the proposed work are as follows:

- a. Tennessee Valley Authority (TVA) approval under Section 26a of the TVA Act. In addition to other provisions of its approval, TVA would require the applicant to employ best management practices to control erosion and sedimentation, as necessary, to prevent adverse aquatic impacts.
- b. Water quality certification from the State of Tennessee in accordance with Section 401(a)(1) of the Clean Water Act.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Written statements received in this office on or before January 1, 2003, will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attention: Carl Olsen, at the above address, telephone (615) 369-7513. It is not necessary to comment separately to TVA since copies of all comments will be sent to that agency and will become part of its record on the proposal. However, if comments are sent to TVA, they should be mailed to:

Mr. Darrell Cuthbertson  
TVA  
Little Tennessee Watershed Team  
804 Highway 321 North  
Lenoir City, TN 37771-6440



## GENERAL LOCATION MAP



0 2000 4000  
SCALE FEET

SOURCE: DeLorme 3-D TopoQuads, 1999, U.S. Geologic Survey  
7.5-Minute Topographic Map Vonore (139 SW),  
Tennessee quadrangle

**MACTEC**

601 Bakertown Road  
Nashville, Tennessee 37013  
Office: (615) 832-0513  
Fax: (615) 832-0983

**Vonore Flatbed Distribution Center**

Vonore, Monroe County, Tennessee  
Prepared For:  
Lowe's Company, Inc.  
North Wilkesboro, North Carolina

Drawn By/Date: Checked By/Date:

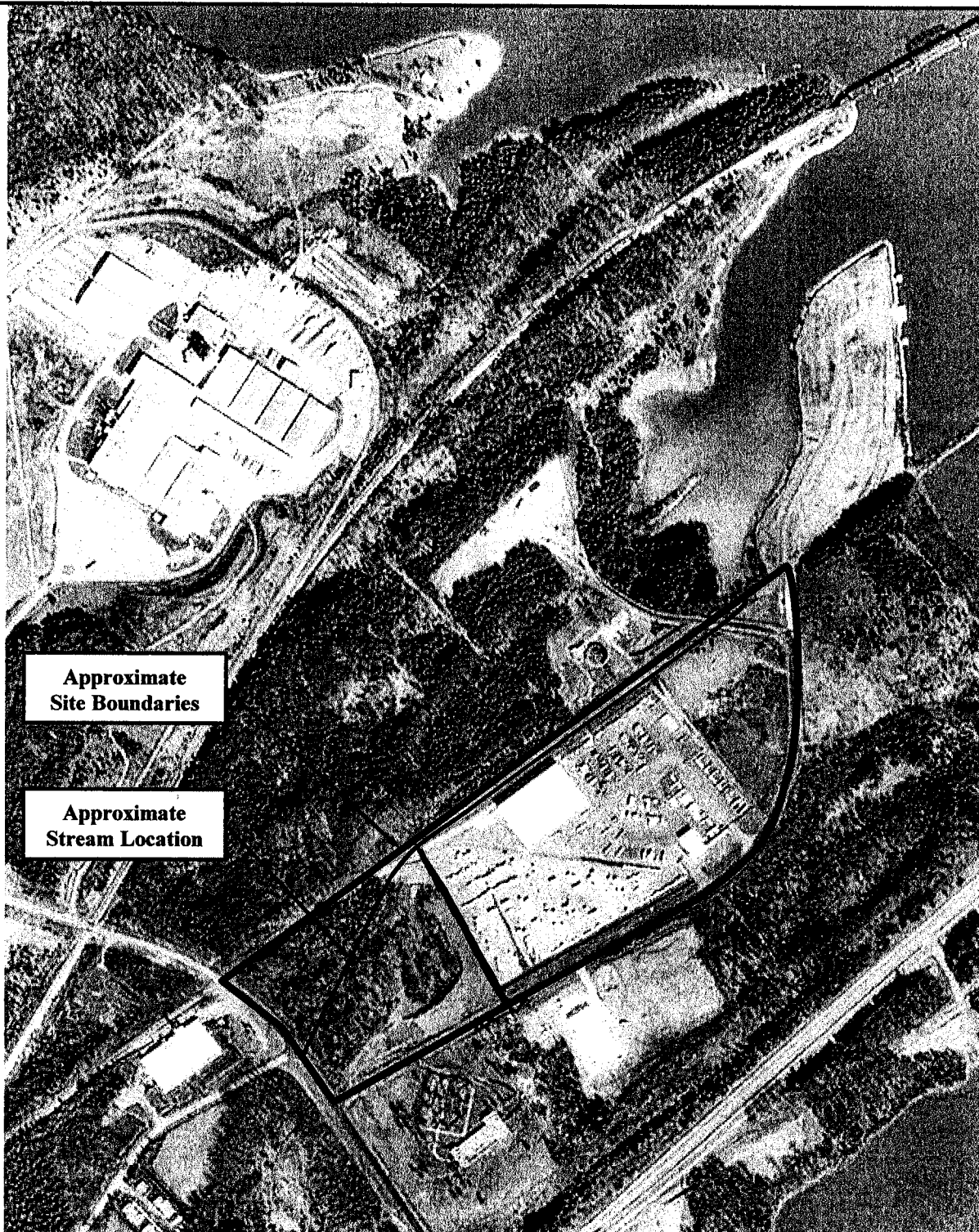
SCR 11/21/03 SGR 11/21/03

Project No.

**30720-2-5392**

Figure

PN 03-58



Approximate  
Site Boundaries

Approximate  
Stream Location

## AERIAL PHOTOGRAPH



0 631 1262  
SCALE FEET

SOURCE: [www.terraserver.homeadvisor.msn.com](http://www.terraserver.homeadvisor.msn.com)  
February 23, 1997



601 Bakertown Road  
Nashville, Tennessee 37013  
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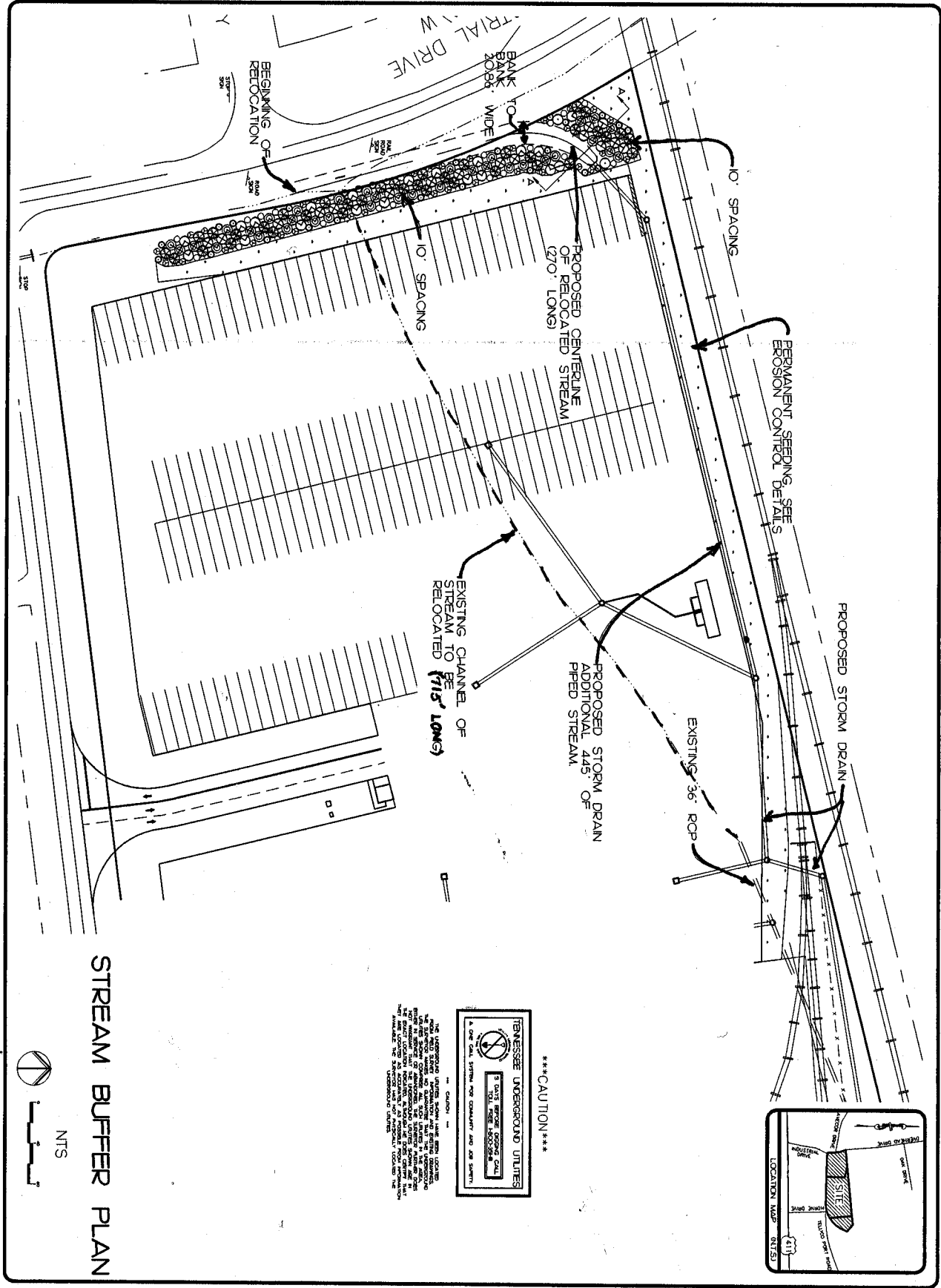
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SAR 11/21/03

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PN 03-58



DATE	BY	REVISION
JUN 28, 2001	DAVID WIN	1
JUN 28, 2001	DAVID WIN	2
JUN 28, 2001	DAVID WIN	3
JUN 28, 2001	DAVID WIN	4
JUN 28, 2001	DAVID WIN	5
JUN 28, 2001	DAVID WIN	6
JUN 28, 2001	DAVID WIN	7
JUN 28, 2001	DAVID WIN	8
JUN 28, 2001	DAVID WIN	9
JUN 28, 2001	DAVID WIN	10

**LOWE'S FLATBED DISTRIBUTION CENTER EXPANSION VONORE, TENNESSEE**

LOWE'S HOME CENTERS, INC.  
Contact: Donald Winn  
Highway 268 East, East Dock  
North Wilkesboro, NC 28659  
Tel: (336) 658-4000

**FREELAND and KAUFFMAN, INC.**  
Engineers & Landscape Architects  
209 West Stone Avenue  
Greenville, South Carolina 29609  
864-233-5497  
fax 864-233-6995

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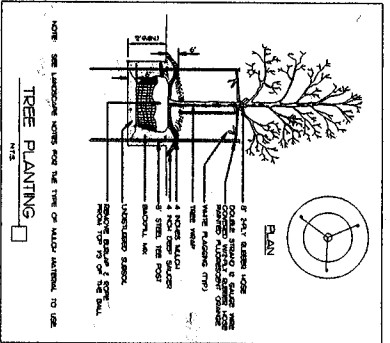
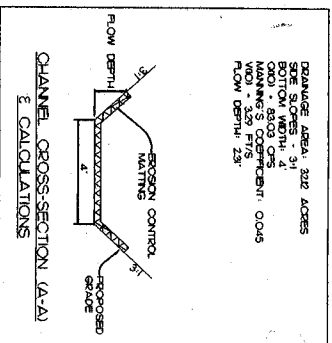
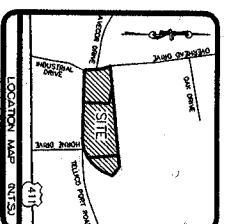
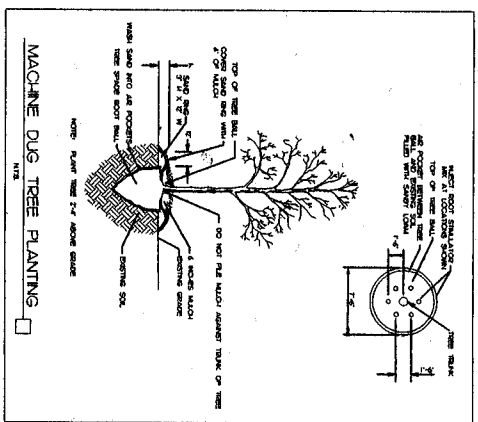
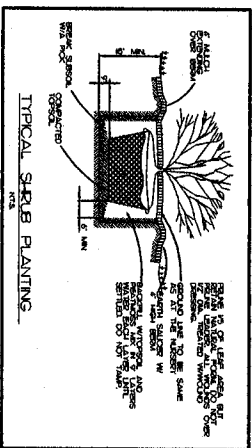
LANDSCAPE NOTES:

- 1. ALL PLANT MATERIAL SHALL BE NURSERY GROWN AND SHALL CONFORM TO THE STANDARDS AND SPECIFICATIONS AS SET FORTH BY THE AMERICAN ASSOCIATION OF NURSERYMEN, INC.
- 2. ALL DISTURBED AREAS NOT TO RECEIVE PLANTING SHALL BE TOP SOILED, LIMED, AND FERTILIZED. ALL DISTURBED TURF-GRASS AREAS ARE TO BE SEEDED WITH TALL FESCUE. THE CONTRACTOR SHALL WATER AND MAINTAIN ALL GRASS AREAS UNTIL HEALTHY STAND IS ESTABLISHED.
- 3. ALL PLANT BEDS, TREES, SHRUB MASSSES, ETC. SHALL RECEIVE A PREEMERGENT HERBICIDE AND POST-EMERGENT WEED CONTROL. THE FERTILIZER A 34% ROOT DIAMETER MATCH ARE AROUND ALL PROPOSED TREES.
- 4. ALL TREES SHALL BE GUDED AND STAKED PER THE DETAILS.
- 5. THE CONTRACTOR SHALL PROVIDE A TWO YEAR WARRANTY FROM DATE OF INSTALLANCE.
- 6. THE CONTRACTOR SHALL PERFORM A SOIL TEST ON THE EXISTING AND PROPOSED TOP SOIL AND APPLY LIME AND FERTILIZER AS RECOMMENDED IN LEAD OF A SOIL GRADE UESTION IN LEAD OF A SOIL TEST FOR THE FERTILIZER APPLY 1000 POUNDS PER ACRE OF D-20-0 FERTILIZER.

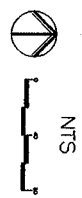
PLANT LIST

QUANTITY	SMBOL	CODE	SCIENTIFIC NAME	COMMON NAME	SIZE REQUIREMENTS	SPACING
37		GA	FRAXINUS PENNSYLVANICA	GREEN ASH	1" CALIPER AT PLANTING	AS SHOWN
34		O	QUERCUS PALUSTRIS	PN OAK	1" CALIPER AT PLANTING	AS SHOWN
37		P	ULMOXDYLON PUMILUM	YELLOW FORLAW	1" CALIPER AT PLANTING	AS SHOWN
21		BA	ALNUS SERRULATA	BROOKSIDE ALDER	2 GALLON AT PLANTING	AS SHOWN
32		H	CORNUS AMERICANA	AMERICAN HAZELNUT	2 GALLON AT PLANTING	AS SHOWN
25		D	CORNUS SERICEA	REDOSWOOD	2 GALLON AT PLANTING	AS SHOWN

- 7. REVISIONS TO THE PLANT PLAN TYPE OR QUANTITY SHALL BE APPROVED BY THE LOCAL GOVERNING AGENCY AND THE OWNER.
- 8. THE CONTRACTOR SHALL EXPOSE ANY EXISTING TOPSOIL LOCATED ON THE SITE THAT IS NOT REQUIRED TO PERFORM THE LANDSCAPE OPERATION ALSO. IF INSUFFICIENT TOPSOIL IS PRESENT ON THE SITE THE CONTRACTOR IS REQUIRED TO HAVE TOPSOIL BROUGHT INTO THE SITE FOR THE LANDSCAPE OPERATION.
- 9. THE CONTRACTOR SHALL NOTIFY IN-48 HOURS BEFORE REMOVAL AND EXCAVATION OF ROCK AS REQUIRED DURING TREE PLANTING TO RESIDE STAMAL OF THE TREES AND TO PROVIDE A PLANTING PIT AS DIRECTIONED ON THE PLANTING DETAILS.
- 10. THE CONTRACTOR SHALL FAMILIARIZE HIMSELF WITH THE LANDSCAPE SPECIFICATIONS IN THE SITEWORK SPECIFICATIONS.
- 11. ALL PLANTING AREAS SHALL CONTAIN SOLS SUITABLE FOR PLANTING. SOLS SHALL BE CLEAN, FREE OF ROCKS, LIMESTONE, OR OTHER SOLS THAT WOULD BE HARMFUL TO PLANTING. THE TOP TWO FEET OF SOL SHALL BE LOOSE AND REMOVED TO A DEPTH OF TWO FEET. THE TOP SIX INCHES OF SOL SHALL BE CLEAN TOPSOIL OR OTHER CLEAN SOLS LAMBERED WITH ORGANIC MATERIAL. THIS REMOVAL SHALL BE HERE FOR THE INSTALLATION OF LANDSCAPING.



STREAM BUFFER PLAN



2

LOWE'S FLATBED DISTRIBUTION CENTER EXPANSION VONORE, TENNESSEE

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